

Open Minutes
Missouri Real Estate Commission
February 6, 2013
Division of Professional Registration
3605 Missouri Boulevard
Jefferson City, Missouri

The Missouri Real Estate Commission was called to order by Sharon Keating, Chairperson, at 8:00 a.m. on February 6, 2013, at the Division of Professional Registration, 3605 Missouri Boulevard, Jefferson City, Missouri.

Commission Members Present

Doris Carlin, Member (DC) (per conference phone)
Charles Davis, Member (CD) (per conference phone)
Twila Hillme, Member (TH)
Sharon Keating, Member (SK)
Steve Kenny, Member (SMK)
Charles Misko, Public Member (CM)

Commission Members Not Present

Rosemary Vitale, Member (RV)

Staff Present

Janet Carder, Executive Director
Joe Denkler, Investigation Supervisor
Diane Braun, Licensing Supervisor
Earl Kraus, Division Counsel
Craig Jacobs, Assistant Attorney General

To better track the order in which items were taken up on the agenda, each item in the minutes will be listed in the order it was discussed in the meeting.

Ms. Keating called the meeting to order and roll call was taken with the following members present: Sharon Keating, Charles Misko, Charles Davis, Steve Kenny, and Twila Hillme.

Motion was made by Ms. Misko and seconded by Mr. Kenny to approve the open agenda. Motion carried unanimously.

Motion was made by Ms. Hillme and seconded by Mr. Misko to go into closed session under Sections 610.021 (14) and 324.001.8, RSMo, for the purpose of discussing investigative reports, complaints, audits or other information pertaining to a licensee or applicant; under Section 610.021 (1), RSMo, for the purpose of discussing general legal actions, causes of action or litigation and any confidential or privileged communications between this agency and its attorney; under 610.021 (1) and 324.001.9, RSMo, for the purpose of deliberation on discipline; and under the subsections of Section 610.021, RSMo for the purpose of reviewing and approving the closed minutes of one or more previous meetings. Motion carried unanimously.

John Dale Sapp

A disciplinary hearing was held in the matter of John Dale Sapp. Mr. Sapp was not present and was not represented by counsel. Stephanie White Thorn, Assistant Attorney General, represented the Commission and Earl Kraus, Division legal counsel, acted as advisor.

Open Agenda

Motion was made by Mr. Kenny and seconded by Mr. Misko to approve the open meeting minutes from the December 12, 2012 Commission meeting. Motion carried unanimously.

Motion was made by Mr. Kenny and seconded by Mr. Misko to approve the claims for per diem compensation and expense accounts. Motion carried unanimously.

PER DIEM

Charles Misko	Nov./Dec. 2012	\$229.58
Twila Hillme	December 2012	\$103.07
Charles Davis	December 2012	\$121.82
Rosemary Vitale	Oct./Dec. 2012	\$187.40

TRAVEL EXPENSE

Charles Misko	December 2012	\$121.08
Twila Hillme	December 2012	\$108.04
Charles Davis	December 2012	\$ 95.43
Rosemary Vitale	December 2012	\$107.30

Various additional items were submitted to the Commission as informational items. They were as follows:

- a. Fiscal Note 0056-01 (HB 146) – requires registered sex offenders purchasing real estate to disclose their status to buyer's agents and requires agents to disclose the buyer's status to the sellers and to neighboring residents
- b. Fiscal Note 0558-01 (HB 211) – relating to the enforcement and servicing of real estate loans
- c. Fiscal Note 0307-01 (SB 151) – changes the notice requirement to a tenant in a foreclosure action from 10 days to 90 days
- d. Fiscal Note 0823-01 (SB 170) – allows members of public governmental bodies to cast roll call votes in a meeting if the member is participating via video-conferencing
- e. Fiscal Note 0280-01 (HB 207) – requires a certificate of value to be filed with the assessor before the recorder of deeds can accept the filing of any document by which any interest in certain real property is conveyed

Executive Director's Report

Staff is to proceed with creating an Emeritus award for Jan Hunt's service.

Ms. Carder advised that staff is ready to proceed with posting disciplinary actions to the web. Placement of information was discussed and the disciplinary actions will be established in a stand-alone location listed as Disciplinary Actions.

Various additional items were submitted to the Commission as informational items. They were as follows:

- a. Fiscal Note 0940-01 (HB 293) – requires all state agencies that assess any administrative fine or penalty to provide information regarding how a person may appeal the assessment of the penalty
- b. Fiscal Note 0117-02 (HB 239) – prohibits the state, as an employer or provider of public or housing assistance, from requiring an applicant to disclose any prior felony plea or conviction

Ms. Carder advised that Terry Murphy would be joining the Commission staff on February 7, 2013 as the Education Specialist.

Ms. Carder advised that Diane Braun's position has been posted internally in the Division.

Ms. Carder reported on her recent attendance at an ARELLO meeting. She was elected to the Board of Directors and appointed to the Finance Committee and the Program Committee, and the Investigator Training Committee.

Ms. Carder advised that she would be attending a meeting next week in Las Vegas as a subject matter expert for PSI.

Ms. Carder updated the Commission on her daughter's illness and advised of her continued absences as needed.

Ms. Carder advised that a budget hearing was being held today. She also advised that Mr. Kenny was confirmed last week.

Motion was made by Mr. Kenny and seconded by Mr. Misko to go into closed session under Sections 610.021 (14) and 324.001.8, RSMo, for the purpose of discussing investigative reports, complaints, audits or other information pertaining to a licensee or applicant; under Section 610.021 (1), RSMo, for the purpose of discussing general legal actions, causes of action or litigation and any confidential or privileged communications between this agency and its attorney; under 610.021 (1) and 324.001.9, RSMo, for the purpose of deliberation on discipline; and under the subsections of Section 610.021, RSMo for the purpose of reviewing and approving the closed minutes of one or more previous meetings. Motion carried unanimously.

Motion was made by Mr. Misko and seconded by Ms. Hillme to adjourn the meeting. Motion carried unanimously.



Janet Carder, Executive Director

Approved by Commission on 4/3/13.